

ZB# 04-20

Francis Bedetti

45-4-9

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 4-26-04

ZBA #04-20 BEDETTI, FRANCIS (AREA
5 CONTINENTAL DR. (45-4-9)

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 3/22/04

APPLICANT: Francis & Christine Bedetti
5 Continental Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/19/04

FOR : 7ftx26ft front porch

LOCATED AT: 5 Continental Drive

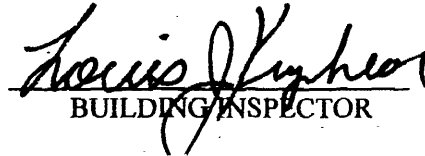
ZONE: R-4 Sec/Blk/ Lot: 45-4-9

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-12 Use/Bulk Table R-4 zone Column E-8

1. Required front yard set-back is 35ft. Proposed set-back will be 28ft. A variance of 7ft is required.

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE:

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD: 35ft

28ft

7ft

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

APPROVED

04-20

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAR 19 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2004-366

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Francis : Charles BELLEH.

Address

5 Continental Dr.

Phone #

562-2810

Mailing Address

Same

Fax #

Name of Architect

Same

Address

Phone

Name of Contractor

Same

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the West side of Centennial Dr.
(N,S,E or W)
and 100' feet from the intersection of Conover & Centennial

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y N X

3. Tax Map Description: Section 45 Block 4 Lot 9

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? no

7. Dimensions of entire new construction. Front 26 Rear _____ Depth 6 Height 2'6" No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$ 5,000 Fee \$50

Cash

PAID

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

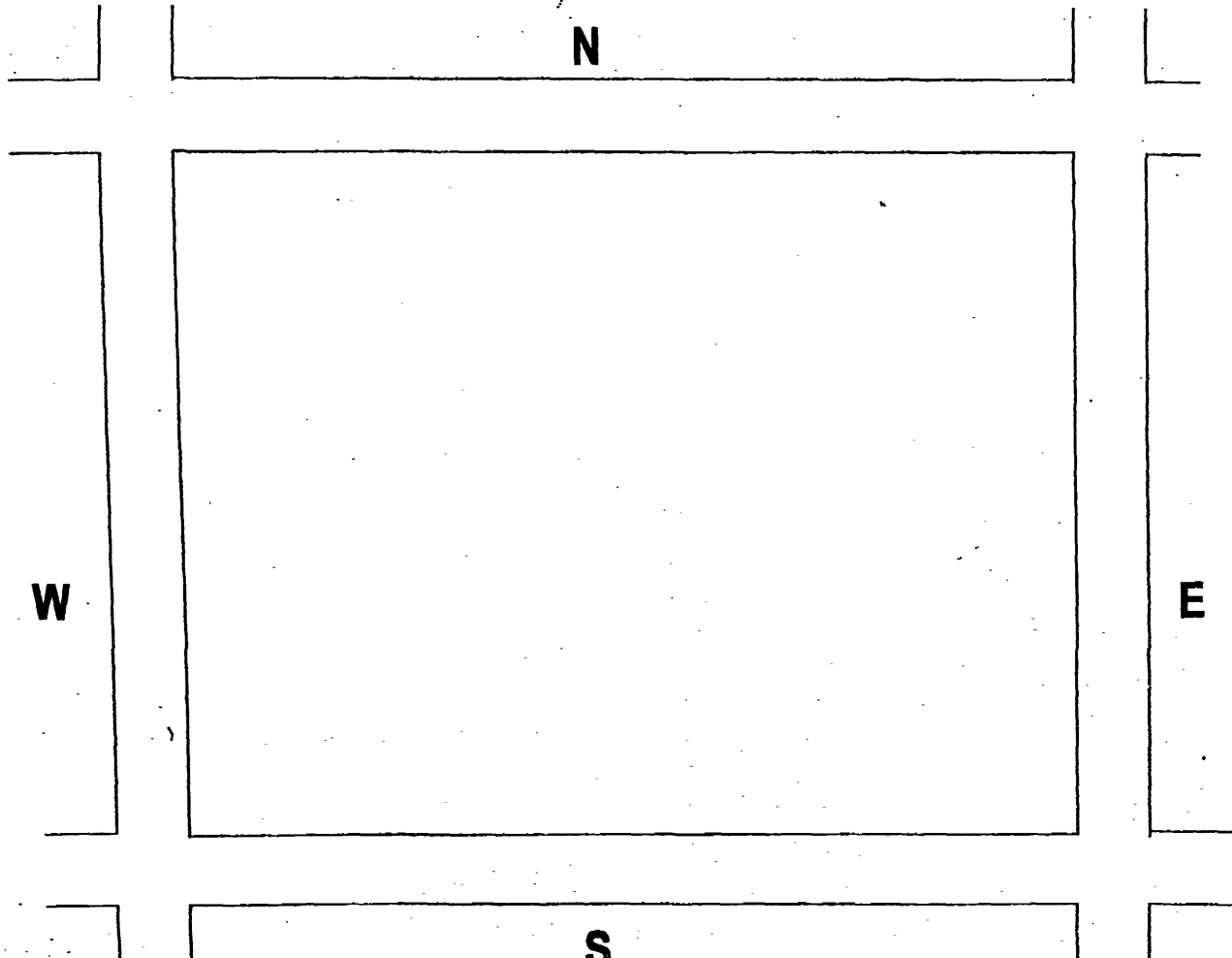
(Address of Applicant)

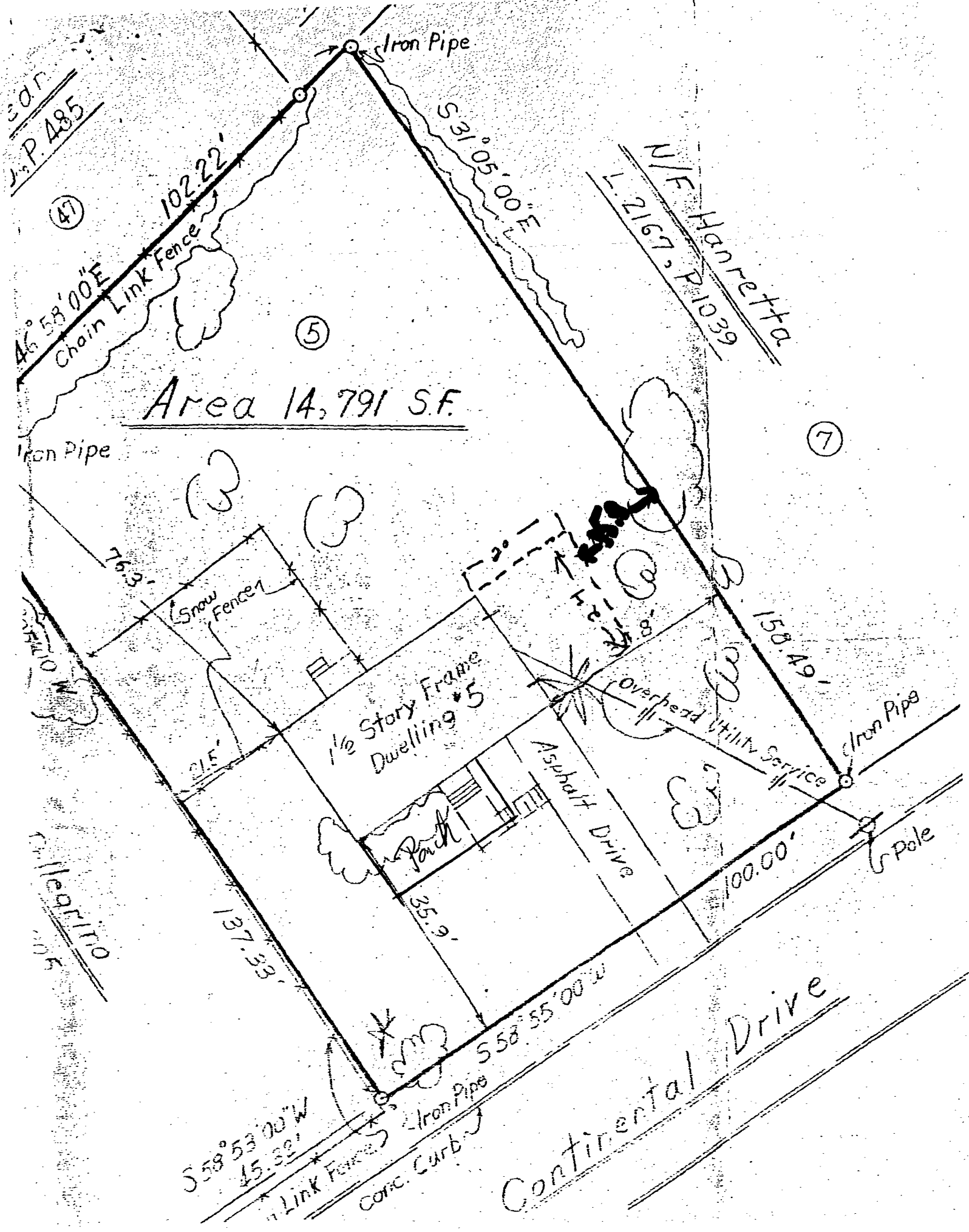
(Owner's Signature)

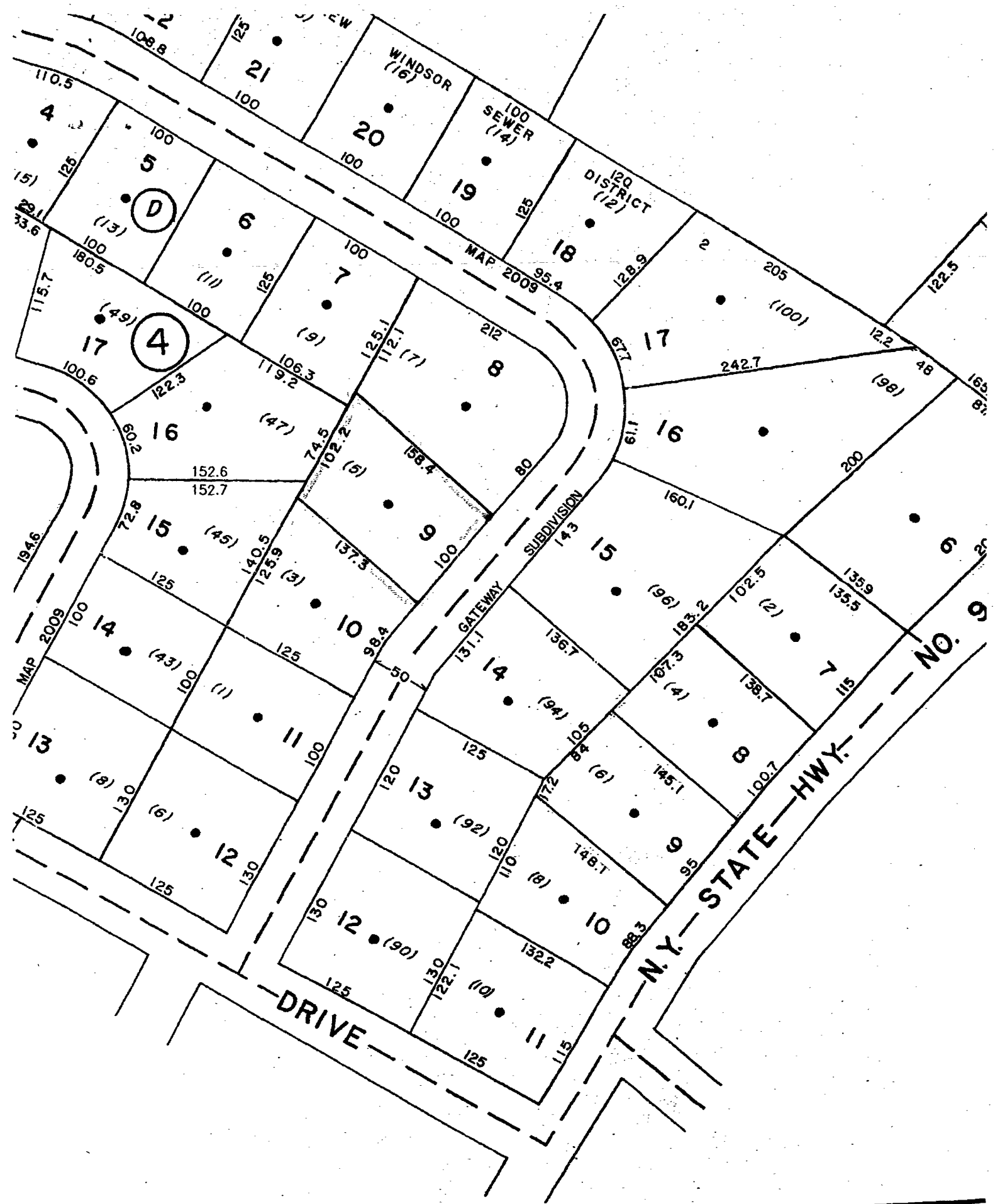
(Owner's Address)

PLOT PLAN

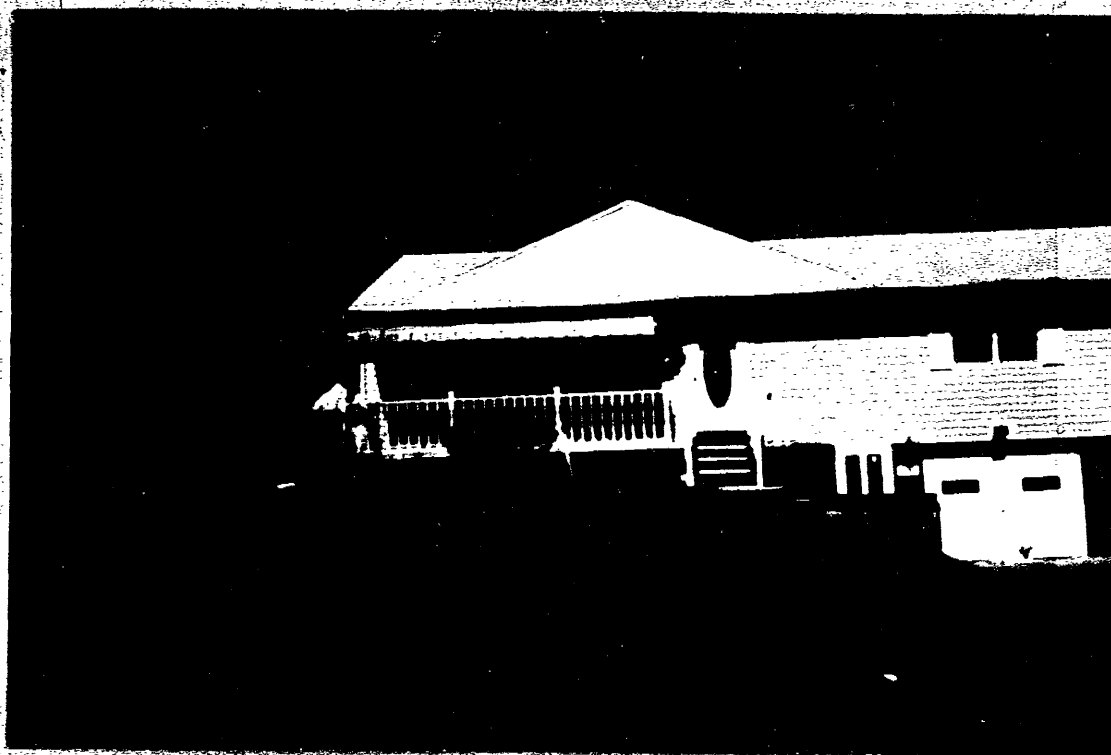
NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.







NEW YORK



In the Matter of the Application of

FRANCIS BEDETTI

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #04-20

WHEREAS, Francis Bedetti, owner(s) of 5 Continental Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 7 ft. Front Yard Setback for proposed front porch (48-12 – Column E-8) at 5 Continental Drive in an R-4 Zone (45-4-9) and;

WHEREAS, a public hearing was held on April 26, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) There is an existing front porch on the property which the applicant seeks to replace and put a roof over. The replacement porch will be approximately the same size as the existing porch.
 - (c) No complaints have been received, either formally or informally, about the porch.

(d) The porch does not create the ponding or collection of water or divert the flow of water drainage.

(e) The porch is not on top of, nor does it interfere with, any easements including, but not limited to, water, sewer or electric.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

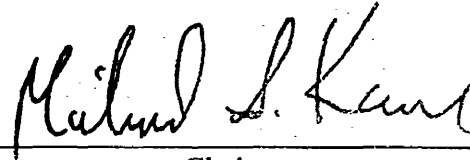
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 7 ft. Front Yard Setback for proposed front porch (48-12 – Column E-8) at 5 Continental Drive in an R-4 Zone (45-4-9) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: April 26, 2004

A handwritten signature in cursive script, reading "Michael S. Kaur", is written over a horizontal line.

Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

August 10, 2004

Francis Bedetti
5 Continental Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-20

Dear Barney:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 6-28-04
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-20

NAME & ADDRESS:

**Francis Bedetti
5 Continental Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.6-28-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-20 TYPE: AREA

APPLICANT Name & Address:

**Francis Bedetti
5 Continental Drive
New Windsor, NY 12553**

TELEPHONE: 562-2810

RESIDENTIAL:	\$ 50.00	CHECK # <u>CASH</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 981

~~~~~

| <u>DISBURSEMENTS:</u>        |                  | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|------------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES   | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | <u>   </u> PAGES | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>3</u> PAGES   | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | <u>   </u> PAGES | \$ _____                               | \$ _____                      |

TOTAL:            \$ 33.00            \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 103.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 197.00

Cc:

L.R. 6-28-04

PUBLIC HEARINGS:

FRANCIS BEDETTI (04-20)

MR. REIS: Request for 7 ft. front yard setback for proposed front porch at 5 Continental Drive in an R-4 zone.

Mr. Francis Bedetti appeared before the board for this proposal.

MR. MINUTA: Mr. Chairman, I will disclose that I am familiar with the applicant but no way, shape or form have any prejudice for or against, any financial interests.

MR. MC DONALD: Ditto, Mr. Chairman, same reasons as Joe did.

MR. REIS: You're too popular. Tell us what you want to do.

MR. BEDETTI: I've got an existing front porch in the front of my house in the R-4 zone on Continental Drive, pictures will reflect that. Just recently I applied for a building permit to bring it up to today's code and it didn't meet the required setbacks so I'm here to apply for that variance.

MR. REIS: Is this replacing an existing porch?

MR. BEDETTI: Yes, I'm just going to bring it up to code.

MR. BABCOCK: Also going to put a roof over it.

MR. BEDETTI: Yes, correct.

MR. MC DONALD: Just an awning there now?

MR. BEDETTI: Yes, one of the Durosole crank out ones. The size is going to be roughly exactly the same size just going to be putting a roof over the top.

MR. MC DONALD: Never had any complaints?

MR. BEDETTI: No, that porch has been there for about 14 years now and never had any trouble with it.

MR. MC DONALD: How many letters were sent out?

MS. MASON: On the 13th of April, I sent out 59 envelopes containing the notice of public hearing, no responses.

MR. REIS: No complaints formal or otherwise from your neighbors over the years?

MR. BEDETTI: No.

MR. MINUTA: Not creating any water hazards?

MR. BEDETTI: None, I'm up on the top of a hill so no, setbacks are actually still beyond further back from where my neighbors are now and their addition that they've put on.

MR. KRIEGER: So it appears to be further from the road?

MR. BEDETTI: Yes, than with my neighbors, yes.

MR. REIS: You're not going over any easements?

MR. BEDETTI: No.

MR. REIS: Any other questions?

MR. BABCOCK: We've got to open it up to the public.

MR. REIS: I'm sorry, got to do that, thank you.
Moving right along, we'll open it up to the public,
anybody here wishes to speak on this, for or against?
No one here, we'll close the public hearing.

MR. MC DONALD: Accept a motion?

MR. REIS: Yes.

MR. MC DONALD: Make a motion we grant Mr. Bedetti the
request for his 7 foot front are yard setback for his
proposed front porch at 5 Continental Drive.

MR. MINUTA: Second it.

ROLL CALL

MR. REIS	AYE
MR. MC DONALD	AYE
MR. MINUTA	AYE

FRANCIS BEDETTI (04-20)

MR. KANE: Request for 7 ft. front yard setback for proposed front porch at 5 Continental Drive in an R-4 zone. Tell us what you want to do, speak up so the young lady doesn't glare at me.

MR. BEDETTI: I've got an existing front porch on my residence now I applied for a building permit because I, that was originally built, it never had a building permit, since then, I have requested a building permit because I want to put a roof over top of that. So in doing that, I don't meet the setbacks off the property line and basically the size of that is 6 x 26 the existing front porch.

MR. KANE: You want to put a roof over this existing porch?

MR. BEDETTI: Correct.

MR. KANE: Anything to do with the steps?

MR. BEDETTI: That's all part.

MR. KANE: So he's here because it's supposed to be--

MR. BABCOCK: Yes.

MR. KANE: How long has the existing porch been up, approximately?

MR. BEDETTI: Twelve to fourteen years.

MR. KANE: Any complaints formally or informally about the porch?

MR. BEDETTI: No, you know, as you see, it's just aesthetically pleasing to the building.

MR. KANE: Looks nice, goes with the house.

MR. BEDETTI: And to the neighborhood, like I said, when I put it up, I never had a permit, I'm just going, you know, taking the right route.

MR. KANE: Old school New Windsor, huh, no permits?

MR. BEDETTI: Yes.

MR. KANE: Cutting down of any trees or substantial shrubbery with the building of it?

MR. BEDETTI: No.

MR. KANE: Create any water hazards or runoffs? Certain questions you may not think apply but we have to ask them.

MR. BEDETTI: No. I understand.

MR. KANE: And obviously if you take the porch away at this point would constitute a financial hardship?

MR. BEDETTI: And I've got no means of entrance or egress from the building.

MR. KANE: So you would consider it a safety issue if you stepped out the front door and there was no porch there?

MR. BEDETTI: Absolutely.

MR. RIVERA: You covered them all. Accept a motion?

MR. KRIEGER: Does it cause the house to visually look like it projects closer to the road than your neighbors?

MR. BEDETTI: Absolutely not.

MR. KRIEGER: Looks like when you drive by and look at it looks like it's the same distance from the road?

MR. BEDETTI: Yeah. Actually, some of my neighbors they project further into the property.

MR. KRIEGER: Closer to the road than you do?

MR. BEDETTI: Yeah, some of the neighbors have received variances for additions and things like that so--

MR. KANE: Okay, I'll accept a motion.

MR. RIVERA: Entertain a motion that we set Mr. Francis Bedetti up for his requested 7 foot front yard setback for the proposed front porch at 5 Continental Drive.

MR. KANE: I'll second your motion.

ROLL CALL

MR. RIVERA	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: April 26, 2004

PROJECT: Frances Bedette ZBA # 04-20
P.B.#



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

NEGATIVE DEC: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

PUBLIC HEARING: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

APPROVED: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) S) VOTE: A N
RIVERA
MCDONALD
REIS CARRIED: Y N
MINUTA
KANE

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) MC S) MC VOTE: A 3 N 0.

~~RIVERA~~
MC DONALD A
REIS A
MINUTA A
~~KANE~~

CARRIED: Y ☒ N

Perch has been there approx 14 yrs

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

FRANCIS BEDETTI

**AFFIDAVIT OF
SERVICE
BY MAIL**

#04-20

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 13TH day of APRIL, 2004, I compared the 59 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

13th day of April, 2004

J. J. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 04-20

Request of FRANCIS BEDETTI

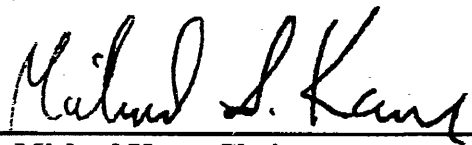
for a VARIANCE of the Zoning Local Law to Permit:

**Request for 7 ft. Front Yard Setback for proposed front porch
being a VARIANCE of Section (48-12 – Column E-8)**

for property located at: 5 Continental Drive in an R-4 Zone (45-4-9)

known and designated as tax map Section 45 Block 4 Lot 9

**PUBLIC HEARING will take place on APRIL 26, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



RESULTS OF Z.B.A. MEETING OF: _____

PROJECT: _____ ZBA # _____
P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

M) _____ S) _____ VOTE: A _____ N _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M)___ S)___ VOTE: A___ N___.

RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y_____ N_____.

[illegible]



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

March 23, 2004

Francis Bedetti III
5 Continental Drive
New Windsor, NY 12553

Re: 45-4-9 ZBA# 04-20

Dear Mr. Bedetti:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, ZB

45-1-3.11 & 45-1-5
William Powles
624 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-15
Raymond & Jodi-Marie Ciaccio
6 Continental Drive
New Windsor, NY 12553

45-1-42
Susan Schatz
73 Blooming Grove Tpke
New Windsor, NY 12553

45-1-6
William Jones
630 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-16
Mark & Lorene Vitek
8 Continental Drive
New Windsor, NY 12553

45-1-44
Daniel Jr. & Michele Volpe
19 Mark Street
New Windsor, NY 12553

45-1-7
Derek & Julia Pickles
634 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-17
Deborah Dabinett
10 Continental Drive
New Windsor, NY 12553

45-1-45
Mary Grace McCue
17 Mark Street
New Windsor, NY 12553

45-1-8
Ernest & Helen Kiss
640 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-18
Michael & Patricia Steel
12 Continental Drive
New Windsor, NY 12553

45-3-2
Michael & Denise Kirk
26 Parade Place
New Windsor, NY 12553

45-1-9
Juergen & Maria Voelker
642 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-19
Dominick & Cynthia Esposito
14 Continental Drive
New Windsor, NY 12553

45-3-3
Frank Ceriello
24 Parade Place
New Windsor, NY 12553

45-1-10
Eric Tirado
Marilyn Echevarria
646 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-20
Tsuneo, Sugako & Risa Tochigi
16 Continental Drive
New Windsor, NY 12553

45-3-4
Paul & Donna Sabella
22 Parade Place
New Windsor, NY 12553

45-1-11
Michael Faricellia
650 Blooming Grove Turnpike
New Windsor, NY 12553

45-1-21
James Aitken
Hilde Lazon Aitken
18 Continental Drive
New Windsor, NY 12553

45-3-5
Peter & Clementina Grimando
10 Cannon Drive
New Windsor, NY 12553

45-1-12
Frank & Barbara Pavlik
4 Cannon Drive
New Windsor, NY 12553

45-1-22
Charles & Audrey Spreer
20 Continental Drive
New Windsor, NY 12553

45-3-6
Kathy & Apostolo Amanatides
12 Cannon Drive
New Windsor, NY 12553

45-1-13
Leslie & Yolanda Herrera
2 Continental Drive
New Windsor, NY 12553

45-1-23
Timothy & Theresa Wersebe
22 Continental Drive
New Windsor, NY 12553

45-3-7
Mildred Gatling
14 Cannon Drive
New Windsor, NY 12553

45-1-14
James McArdle
4 Continental Drive
New Windsor, NY 12553

45-1-24
Lucille Greiner
24 Continental Drive
New Windsor, NY 12553

45-4-2
Robert & Annette Gaydos
19 Continental Drive
New Windsor, NY 12553

45-4-3
Alfredo & Elizabeth Lavigat
17 Continental Drive
New Windsor, NY 12553

45-4-4
Lorenzo Reyes
Marta Cadavid
15 Continental Drive
New Windsor, NY 12553

45-4-5
Reynaldo & Alma Correa
13 Continental Drive
New Windsor, NY 12553

45-4-6
Maurice Picard
11 Continental Drive
New Windsor, NY 12553

45-4-7
Kevin Quinn
9 Continental Drive
New Windsor, NY 12553

45-4-8
Michele Ahearn
Joseph Smith
7 Continental Drive
New Windsor, NY 12553

45-4-10
Carlos Jr. & Adele Torres
3 Continental Drive
New Windsor, NY 12553

45-4-11
Bernard & Selene McCourtney
1 Continental Drive
New Windsor, NY 12553

45-4-12
Christopher & Gail Cinnante
6 Cannon Drive
New Windsor, NY 12553

45-4-13
James Jr. & Paula Bresnan
8 Cannon Drive
New Windsor, NY 12553

45-4-14
Michael & Eileen Dowd
23 Parade Place
New Windsor, NY 12553

45-4-15
Richard Bittles
25 Parade Place
New Windsor, NY 12553

45-4-16
Howard & Laurine Berean
27 Parade Place
New Windsor, NY 12553

45-4-17
James & Veronica Kelly
29 Parade Place
New Windsor, NY 12553

45-4-18
Margaret & Jeff Pagano
31 Parade Place
New Windsor, NY 12553

45-4-19
William Brentnall Jr.
33 Parade Place
New Windsor, NY 12553

45-4-20
Kevin & Jennifer Doyle
35 Parade Place
New Windsor, NY 12553

49-3-3
Glenn Giametta
20 Parade Place
New Windsor, NY 12553

49-4-1
Kenneth & Carol Pick
21 Parade Place
New Windsor, NY 12553

49-4-2
Theresa Russo
27 Provost Drive
New Windsor, NY 12553

49-4-3
Joseph & Lydia Como
25 Provost Drive
New Windsor, NY 12553

49-5-1
David & Kathleen Black
5 Cannon Drive
New Windsor, NY 12553

49-5-2
Arthur & Geselle May
704 Blooming Grove Turnpike
New Windsor, NY 12553

49-5-29
Mark Aulogia
30 Provost Drive
New Windsor, NY 12553

49-6-1
Charles Greeney
2 Rocky Lane
New Windsor, NY 12553

49-6-2
Kurt Ottway Jr.
Dorothy Meta
1 Rocky Lane
New Windsor, NY 12553

49-6-3
Thomas & Marjorie Ellis
3 Rocky Lane
New Windsor, NY 12553

37-1-48
Church of St. Helena
P.O. Box 426
Vails Gate, NY 12584

37-1-49
The McQuade Foundation
P.O. Box 4064
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

April 13, 2004

Francis Bedetti
5 Continental Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-20

Dear Barney:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

5 Continental Drive
New Windsor, NY

is scheduled for the April 26th, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 23, 2004

Francis Bedetti
5 Continental Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-20 (#45-4-9)

Dear Mr. Bedetti:

This letter is to inform you that you have been placed on the April 12th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

5 Continental Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#283-2004

03/23/2004

Bedetti, Francis *ZB 04-20*

Received \$ 50.00 for Zoning Board Fees, on 03/23/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 03-23-2004

FOR: 04-20 ESCROW

FROM: FRANCIS BEDETTI

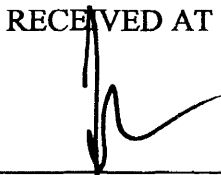
5 CONTINENTAL DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 981

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

3/20/04

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

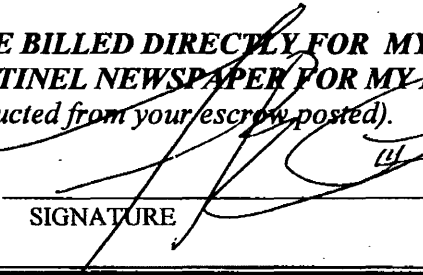
FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

<i>I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).</i>	
 SIGNATURE	<u>3-23-04</u> DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

3-23-01
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (845) 562-2810
Fax Number: ()
BELETTI, Francis TH
(Name)
5 Continental Dr. N.W. NY.
(Address)

II. Applicant:

SAME
(Name) Phone Number: ()
Fax Number: ()
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()
SAME Fax Number: ()
(Name)
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()
Fax Number: ()
SAME
(Name)
(Address)

V. Property Information:

Zone: R-4 Property Address in Question: SAME
Lot Size: _____ Tax Map Number: Section 45 Block 4 Lot 9
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? YES
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

******PLEASE NOTE:*******

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	35'	28'	7'
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I have an existing front porch on the Building (see pictures) By Rebuilding it to meet state Building Code It will have no affect on the health or safety of the neighborhood, it will be appealing to the home & the nearby Properties. Most Importantly it will allow my self & my family to Get into & out of the House.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

23rd day of March 2004,

Owner's Signature (Notarized)

Francis Bevel II
Owner's Name (Please Print)

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐